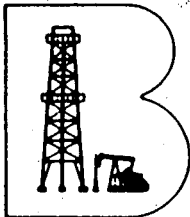


003



Berry Petroleum Company

Brundage Canyon Field

1614 South 2000 West
Rt. 3 Box 3020
Roosevelt, UT 84066

Ph. (435) 722-1325

Fax: (435) 722-1321

www.bry.com

October 22, 2004

State Of Utah
Division of Oil, Gas & Mining
1594 W. North Temple,
Suite 1210 Box 145801
Salt Lake City, Utah 84114-5801

Re: Application for Permit to Drill

Attached please find one (1) original copy of an *Application for Permit to Drill* on the following locations:

UTE TRIBAL 9-4-54 ✓

UTE TRIBAL 14-20-54

UTE TRIBAL 9-15-55

FEDERAL 6-1-65

Thank you,

Debbie L. Wisener
Production & Regulatory Technician

cc: Bureau of Indian Affairs
Ute Indian Tribe
Bureau of Land Management

RECEIVED
OCT 25 2004
DIV. OF OIL, GAS & MINING

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

FORM 3

AMENDED REPORT ☐
(highlight changes)

001

APPLICATION FOR PERMIT TO DRILL

1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>		5. MINERAL LEASE NO: 14-20-H62-4778 (E&D)	6. SURFACE: INDIAN
B. TYPE OF WELL: OIL <input checked="" type="checkbox"/> GAS <input type="checkbox"/> OTHER _____ SINGLE ZONE <input checked="" type="checkbox"/> MULTIPLE ZONE <input type="checkbox"/>		7. IF INDIAN, ALLOTTEE OR TRIBE NAME: UTE	
2. NAME OF OPERATOR: BERRY PETROLEUM COMPANY		8. UNIT or CA AGREEMENT NAME:	
3. ADDRESS OF OPERATOR: RT. 3 BOX 3020 CITY ROOSEVELT STATE UTAH ZIP 84066		PHONE NUMBER: (435)722-1325	9. WELL NAME and NUMBER: UTE TRIBAL 9-4-54
4. LOCATION OF WELL (FOOTAGES) AT SURFACE: 2108' FSL, 631' FEL 556876x 4435958y AT PROPOSED PRODUCING ZONE: SAME AS ABOVE		10. FIELD AND POOL, OR WILDCAT: Undesignated WILDCAT	
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: 27.1 MILES FROM MYTON, UTAH		11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: (NE/SE) SEC. 4, T.5S., R.4W. U.S.B. & M.	
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) 631'	16. NUMBER OF ACRES IN LEASE: 640	17. NUMBER OF ACRES ASSIGNED TO THIS WELL: 40	
18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET) N/A	19. PROPOSED DEPTH: 6410'	20. BOND DESCRIPTION: RLB0005651	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): 6318' GR	22. APPROXIMATE DATE WORK WILL START: REFER TO BPC SOP PLAN	23. ESTIMATED DURATION: REFER TO BPC SOP PLAN	
24. PROPOSED CASING AND CEMENTING PROGRAM			
SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN			

OPERATOR REQUESTS PERMISSION TO DRILL THE SUBJECT WELL. PLEASE SEE THE ATTACHED CONDITIONS FOR APPROVAL.

IF YOU REQUIRE ADDITIONAL INFORMATION PLEASE CONTACT:

EDDY COURTRIGHT

1614 SOUTH 2000 WEST

OFFICE: (435)722-1325

CELLULAR: (435)823-1862

RT. 3 BOX 3020

ROOSEVELT, UTAH 84066

25. ATTACHMENTS

VERIFY THE FOLLOWING ARE ATTACHED IN ACCORDANCE WITH THE UTAH OIL AND GAS CONSERVATION GENERAL RULES:

- ☒ WELL PLAT OR MAP PREPARED BY LICENSED SURVEYOR OR ENGINEER
- ☒ EVIDENCE OF DIVISION OF WATER RIGHTS APPROVAL FOR USE OF WATER

- ☒ COMPLETE DRILLING PLAN (BPC SOP ON FILE WITH STATE)
- ☐ FORM 5, IF OPERATOR IS PERSON OR COMPANY OTHER THAN THE LEASE OWNER

NAME (PLEASE PRINT) <u>DEBBIE L. WISNER</u>	TITLE <u>PRODUCTION & REGULATORY TECHNICIAN</u>
SIGNATURE <u>[Signature]</u>	DATE <u>09/03/04</u>

(This space for State use only)

API NUMBER ASSIGNED: 43-013-32700

(11/2001)

Federal Approval of this
Action is Necessary

Approved by the
Utah Division of
Oil, Gas and Mining

Date: 10-26-04
By: [Signature]

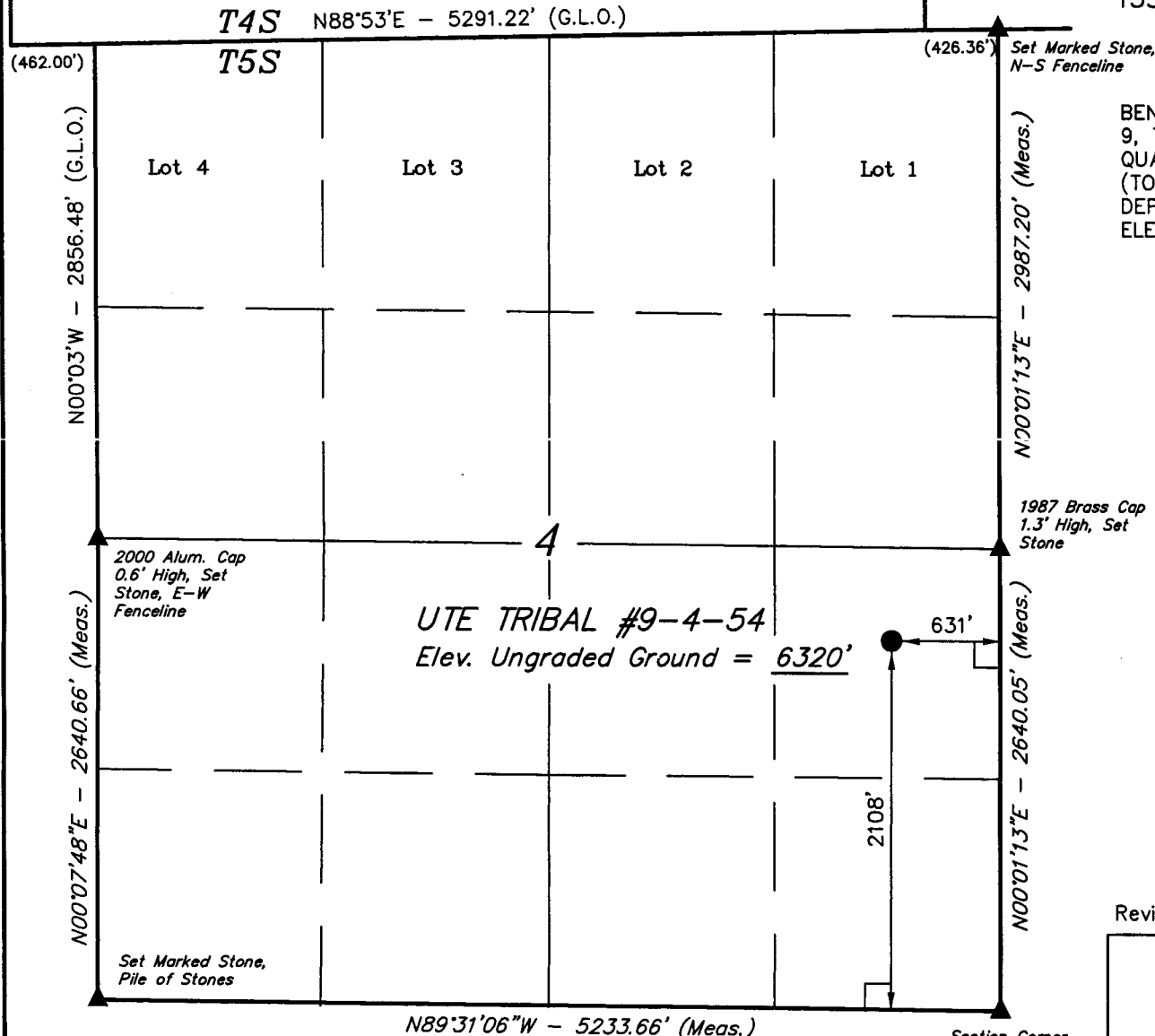
RECEIVED
OCT 25 2004

DIV. OF OIL, GAS & MINING

T5S, R4W, U.S.B.&M.

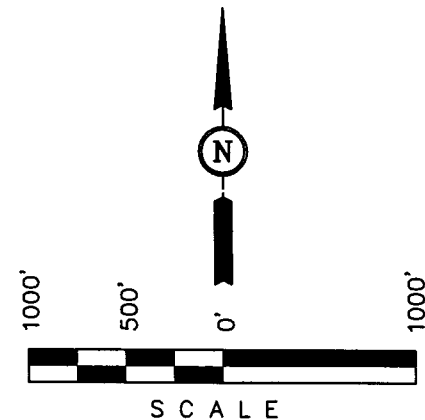
BERRY PETROLEUM COMPANY

Well location, UTE TRIBAL #9-4-54, located as shown in the NE 1/4 SE 1/4 of Section 4, T5S, R4W, U.S.B.&M. Duchesne County, Utah.



BASIS OF ELEVATION

BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M. TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.



CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE MAP WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

REGISTERED LAND SURVEYOR
REGISTRATION NO. 161319
STATE OF UTAH

Revised: 07-19-04 D.R.B.

LEGEND:

- └─┘ = 90° SYMBOL
- = PROPOSED WELL HEAD.
- ▲ = SECTION CORNERS LOCATED.

BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.
(NAD 27)
LATITUDE = 40°04'25.83" (40.073842)
LONGITUDE = 110°19'58.42" (110.332894)

Section Corner
Re-Established by
Bearing Trees

UINTAH ENGINEERING & LAND SURVEYING
85 SOUTH 200 EAST - VERNAL, UTAH 84078
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 05-07-04	DATE DRAWN: 06-22-04
PARTY J.F. N.H. D.R.B.	REFERENCES G.L.O. PLAT	
WEATHER WARM	FILE BERRY PETROLEUM COMPANY	

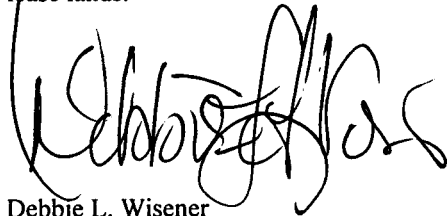
SELF-CERTIFICATION STATEMENT

The following self-certification statement is provided per federal requirements dated June 15, 1988.

Please be advised that Berry Petroleum Company is considered to be the operator of the following well.

Ute Tribal 9-4-54
NE 1/4, SE 1/4, 2108' FSL 631' FEL, Section 4, T. 5 S., R. 4 W., U.S.B.&M.
Lease BIA 14-20-H62-4778 (E&D)
Duchesne, County, Utah

Berry Petroleum Company is responsible under the terms of the lease for the operations conducted upon the lease lands.



Debbie L. Wisener
Production & Regulatory Technician
Berry Petroleum Company
1614 South 2000 West
Route 3, Box 3020
Roosevelt, Utah 84066
435-722-1325

BERRY PETROLEUM COMPANY
Ute Tribal 9-4-54
Surface location NE 1/4, SE 1/4, 2108' FSL 631' FEL, Section 4, T. 5 S., R. 4 W., U.S.B.&M.
Duchesne County, Utah

ONSHORE ORDER NO. 1

DRILLING PROGRAM

1,2 Estimated Tops of Geological Markers and Formations Expected to Contain Water, Oil and Gas and Other Minerals

<u>Formation</u>	<u>Depth</u>
Uinta	surface
Green River	1600'
Mahogany	2878'
TGR3 Marker	3951'
*Douglas Creek	4717'
*Castle Peak	5639'
Uteland Butte Ls.	6073'
Wasatch	6306'
TD	6410'

*PROSPECTIVE PAY

3 Pressure Control Equipment

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

4 Proposed Casing and Cementing Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

5 Drilling Fluids Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

6 Evaluation Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

7 Abnormal Conditions

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

8 Anticipated Starting Dates and Notification of Operations

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

9 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

BERRY PETROLEUM COMPANY
Ute Tribal 9-4-54
Surface location NE 1/4, SE 1/4, 2108' FSL 631' FEL, Section 4, T. 5 S., R. 4 W., U.S.B.&M.
Duchesne County, Utah

ONSHORE ORDER NO. 1

MULTI POINT SURFACE USE & OPERATIONS PLAN

1 Existing Roads

To reach the Berry Petroleum Company well, Ute Tribal 9-4-54 location, in Section 4-T5S-R4W:

Start in Myton, Utah. Proceed west on US Highway 40, 8.6 miles to the Antelope Creek/Sowers Canyon Road at the Bridgeland turnoff. Turn south and proceed 8.6 miles to the Nutters Canyon Road. Turn west and proceed south and west 5.5 miles to the Cottonwood Canyon Road. Turn north and proceed northeast 1.2 miles. At intersection turn east and proceed east 2.6 miles to the Ute Tribal 9-4-54 access road. Turn northeast and proceed 0.25 miles to the Ute Tribal 9-4-54 location.

The existing oilfield service road may need some surface material to prevent or repair holes in the road due to heavy truck traffic during the drilling and completion operation. If repairs are made the operator will secure material from private sources.

Please see the attached map for additional details.

2 Planned Access Road

See Topographic Map "B" for the location of the proposed access road. A 24" culvert will be installed in drainage on access road into location.

3 Location of Existing Wells

See Topographic Map "C" for the location of existing wells within a 1 mile radius.

4 Location of Tank Batteries, Production Facilities and Production Gathering and Service Lines

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

5 Location and Type of Water Supply

Water for the drilling and completion will be pumped or trucked from the Berry source wells located in Sec. 23, T5S, R5W or Sec. 24, T5S, R5W, permit # 43-11041, or from Duchesne City Culinary Water Dock located in Sec. 1, T4S, R5W or from East Duchesne Water, Arcadia Feedlot, Sec. 28, T3S, R3W or from Petroglyph Operating Company 08-04 Waterplant, Sec. 8, T5S, R3W or from Kenneth V. & Barbara U. Richens source well located in Sec. 34, T3S, R2W, permit # 43-1723 or Brundage Canyon Field produced water or Leo Foy source well located in Sec. 34, T5S, R5W, permit # 43-11324. A water use agreement is also in place with the Ute Tribe.

6 Source of Construction Materials

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

7 Methods of Handling Waste Materials

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

8 Ancillary Facilities

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

9 Wellsite Layout

The attached Location Layout diagram describes drill pad cross-sections, cuts and fills, and locations of the mud tanks, reserve pit, pipe racks, trailer parking, spoil dirt stockpile(s) and surface material stockpile(s)

10 Plans for Restoration of the Surface

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

11 Surface Ownership

Ute Indian Tribe

12 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

13 Operator's Representative and Certification

A) Representative

NAME: Debbie L. Wisener

ADDRESS: Berry Petroleum Company
1614 South 2000 West
Route 3, Box 3020
Roosevelt, Utah 84066

PHONE: 435-722-1325

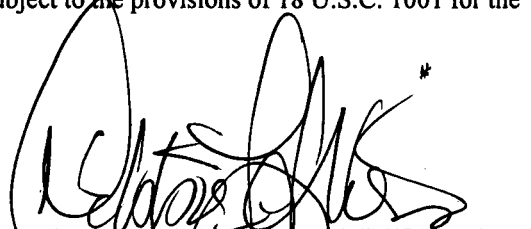
All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations and onshore oil and gas orders. The operator is fully responsible for the actions of its subcontractors. A copy of these conditions will be furnished to the field representative to ensure compliance.

The drilling permit will be valid for a period of one year from the date of approval. After permit termination, a new application will be filed for approval for any future operations.

B) Certification:

I hereby certify that I, or persons under my direct supervision, have inspected the proposed drillsite and access route; that I am familiar with the conditions which presently exist; that the statements made in this plan are, to the best of my knowledge and belief, true and correct; and that the work associated with the operations proposed herein will be performed by Berry Petroleum Company and its contractors and subcontractors in conformity with this plan and the terms and conditions under which it is approved. This statement is subject to the provisions of 18 U.S.C. 1001 for the filing of a false statement.

Sept 3, 04
DATE


Debbie L. Wisener
Production & Regulatory Technician
Berry Petroleum Company

APPLICATION FOR GRANT OF CORRIDOR RIGHT-OF-WAY

BERRY PETROLEUM COMPANY, having a resident or principal place of business at **Route 3 Box 3020, Roosevelt, Utah, 84066**, hereby files an application with the Bureau of Indian Affairs, pursuant to the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323), and to the regulations of the Department of the Interior contained in Title 25, Code of Federal Regulations, Part 169, for the grant of a Right-of-Way for the following purposes and reasons:

To construct a Drill Site & Corridor Right-of-Way for the Ute Tribal #9-4-54

Across the following described Indian Lands E ½ SE 1/4, SW 1/4 SE 1/4 & S ½ SW 1/4 OF SECTION 4 & THE E ½ SE 1/4, NW 1/4 SE 1/4, E ½ SW 1/4 & SW 1/4 SW 1/4 OF SECTION 5, T5S, R4W, U.S.B.&M.

Drill Site = 1.993 Ac.

Corridor R-O-W = 7.108 Ac.
(Access Road & Pipeline)

Total Acreage = 9.101 Acres

4" SDR-11 POLY PIPELINE

Said Right-of-Way to be approximately 10,321.00' feet in length, 30 feet in width, and 7.108 Acres, and more particularly described and shown on the map of definite location to be attached and made a part hereof.

The applicant understands and hereby expressly agrees to the following stipulations:

- (a) To construct and maintain the Right-of-Way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to 169.4 determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the Right-of-Way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of the construction to the extent compatible with the purpose for which the Right-of-Way was granted.
- (e) To clear and keep clear the lands within the Right-of-Way to the extent compatible with the purpose of the Right-of-Way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the Right-of-Way.

- (g) To do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the Right-of-Way.
- (h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the Right-of-Way.
- (I) That upon revocation or termination of the Right-of-Way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
- (j) To at all times keep the Secretary informed of its address, and in case of corporations of the address of its principal officers.
- (k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the Right-of-Way is granted.

IN WITNESS THEREOF, BERRY PETROLEUM COMPANY. has caused this instrument to

be executed this 16 day of July, 2004.

Chase Henkle
WITNESS

Kyle Sanner
WITNESS

BERRY PETROLEUM COMPANY
APPLICANT

Ed Courtright
Ed Courtright/Production Foreman
Route 3 Box 3020
Roosevelt, Utah 84066
Phone:(435)722-1325

SUPPORTING DOCUMENTS:

- () Written consent of the landowners.
- () Evidence of good faith and financial responsibility.
- (x) \$0 as per the terms of the Exploration and Development Agreement (14-20-H62-4778).
- () State certified copy of corporate charter or articles of corporation.
- () Certified copy of resolution or bylaws of the corporation authorizing the filing of the stipulation
- () State certification that the applicant is authorized to do business in the State where the land is located.
- () Certified copy of the articles of partnership or association.
- (x) Map of definite location.
- () Other:

RECEIVED AUG 11 2004

**Berry Petroleum Company,
Ute Tribal #9-4-54 well:
A Cultural Resource Inventory for a well pad,
its access and pipeline,
Uintah-Ouray Ute Reservation,
Duchesne County, Utah**

By
James A. Truesdale

James A. Truesdale
Principle Investigator

Prepared For
Berry Petroleum Co.
1614 South 2000 West
Roosevelt, Utah
84066

Prepared By
AN INDEPENDENT ARCHAEOLOGIST
P.O.Box 153
Laramie, Wyoming
82073

Utah Project # U-04-AY-608(i)

August 4, 2004

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Introduction

An Independent Archaeologist (AIA) was contacted by a representative of Berry Petroleum Co., to conduct a cultural resources investigation of the proposed Ute Tribal #9-4-54 well, its access and pipeline.

The location of the project area is in the NE/SE 1/4 of Section 4, T5S, R4W, Duchesne County, Utah (Figure 1). The proposed Ute Tribal #9-4-54 well centerstake Alternate # 1 footage is 2110' FNL and 631' FEL. The Universal Transverse Mercator (UTM) centroid coordinate for the proposed Ute Tribal #9-4-54 well centerstake is Zone 12, North American Datum (NAD) 83, 05/56/819.75 mE 44/36/160.19 mN \pm 5 m.

The proposed Ute Tribal #9-4-54 well access and pipeline parallel each other and trend 1300 feet (396.3 m) northeast to the proposed well pad.

The land surface is administered by the United States, Bureau of Indian Affairs, Phoenix Area Office, Uintah-Ouray Agency, and the Uintah-Ouray Ute tribe, Fort Duchesne, Utah. A total of 15.96 acres (10 block, and 5.96 linear) was surveyed. Fieldwork was authorized through an access permit issued by the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe. The field work was conducted on July 15 and 16, 2004 by AIA archaeologist James Truesdale, and accompanied by Leo Tapoof and Clarice Gilbert (technicians, Energy and Minerals Resource Division, Uintah-Ouray Ute tribe). All the field notes and maps are located in the AIA office in Laramie, Wyoming.

File Search

A GIS file search was conducted at the Utah Division of State History (UDSH), Antiquities Section, Records Division on July 6, 2004. In addition, AIA's USGS quadrangle Duchesne SE and Duchesne SW base maps were updated from UDSH Records division Duchesne SE and Duchesne SW base maps in November of 2003 and again on February 2, 2004. No projects and/or cultural resources have been previously recorded in or adjacent to the project area.

Environment

Physiographically, the project is located in the Uinta Basin, approximately 25 miles southwest of Myton, Utah. The Uinta Basin is structurally the lowest part of the Colorado Plateau geographical province (Thornbury 1965:425). The Uinta Basin is a large, relatively flat, bowl shaped, east-west asymmetrical syncline near the base of the Uinta Mountains (Stokes 1986:231). The topography is characteristic of sloping surfaces which incline northward and are mainly dip slopes on the harder layers of Green

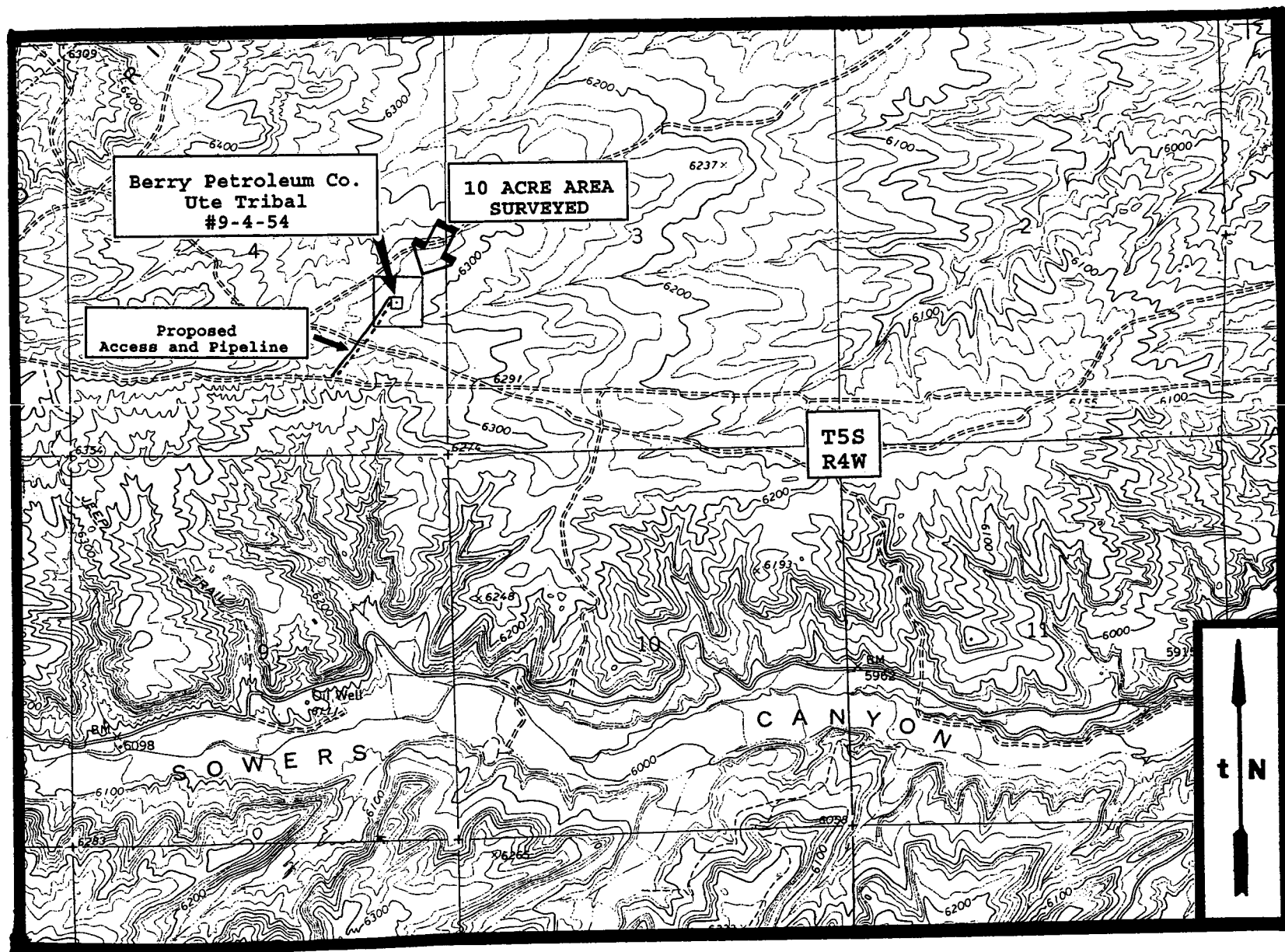


Figure 1. Location of the proposed Berry Petroleum Co. Ute Tribal #9-4-54 well, its access and pipeline on 7.5'/1964 USGS quadrangle map Duchesne SE, Duchesne County, Utah.

River and Uinta Formations. The terrain is characterized as having steep ridges and/or buttes of Uintah Formation sandstones and clays dissected by seasonal drainages and washes with wide flat alluvial plains. The basin contains a thick section of more than 9000 feet (2743.9 m) of early Tertiary rocks (Childs 1950). These rocks are mainly Paleocene and Eocene in age and consist of sandstone, clay and shale lacustrine, fluvial, and deltaic continental deposits, most famous of which are the lacustrine Green River Beds.

The project area is on Cottonwood Ridge which is a large southwest-northeast trending ridge that is positioned directly north of Sowers Canyon. Portions of the desert hardpan and bedrock in the Sowers Canyon area are covered with aeolian sand which may reach a depth of over 50 to 100 centimeters in areas. The Sowers Canyon drainage trends northeast approximately 2 miles to Antelope Creek and then 10 miles north to the Duchesne River.

Vegetation in the project area is characteristic of a Pinon/Juniper community. Species observed in the project area include; Pinyon pine (Pinus Edulis), juniper (Juniperus Osteosperma), curl-leaf mountain mahogany (Cercocarpus ledifolius), shadscale (Atriplex confertifolia), sand sage, (Artemisia filifolia), saltbush (Atriplex nuttallii), rabbitbrush (Chrysothamnus viscidiflorus), winterfat (Eurotia lanata), greasewood (Sarcobatus baileyi), Indian ricegrass (Oryzopsis hymenoides), desert needlegrass (Stipa speciosa), wild buckwheat, (Eriogonum ovvalifolium), silky lupine (Lupinus sericeus), desert globemallow (Bromus tectorum), sky rocket (Gilia aggregata), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), and prickly pear cactus (Opuntia spp.).

Ute Tribal #9-4-54

The immediate proposed Berry Petroleum Co. Ute Tribal #9-4-54 well is situated on southern slope of a large broad southwest-northeast trending ridge (Figure 2). The well is also located along the northern portion of a broad ephemeral drainage flat. The ridge is part of the southern drainage slope of the much larger southwest-northeast trending Cottonwood Ridge/Bench system that is adjacent to Sowers Canyon. The ephemeral drainage flat drains 4 miles to the east into Antelope Creek. The top (crest) of the ridge exhibits ledges of sandstone. The vegetation on the well location contains sparse stands of Pinyon and Juniper trees while the remainder of the well pad area is dominated by sagebrush, saltbush, bunchgrasses and prickly pear cactus. The Pinyon/juniper, contain a understory of mountain mahogany, low sage, yucca, prickly pear cactus and bunchgrasses. Sediments on the proposed well location consist of shallow (<5 cm), tan to light brown, poorly sorted, loosely compacted, sandy clay loam colluvium mixed with small to medium sized angular pieces of sandstone, clay and shale (Figure 3).

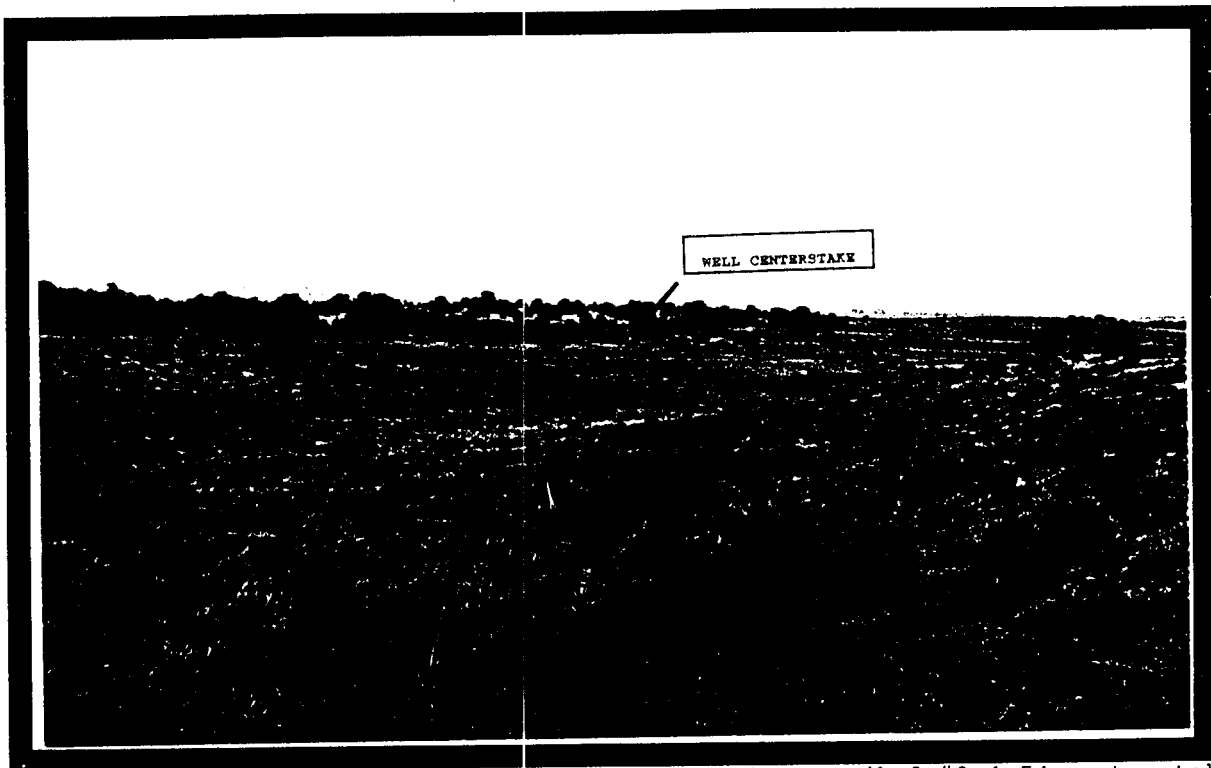


Figure 2. View to northeast at the proposed Ute Tribal #9-4-54 centerstake and well pad area.



Figure 3. Overhead view colluvial of sandy clay loam deposits on and surrounding the proposed Ute Tribal #9-4-54 well pad.

From an existing oil and gas field service road, the Ute Tribal #9-4-54 well's proposed access and pipeline parallel each other and trends northeast 1300 feet (396.9 m) to the well pad. From an existing oil and gas field service road the access and pipeline head northeast up the southern slope and over a hill, then across a large broad drainage wash flat to the proposed well pad. Sediments along the proposed access and pipeline are colluvial in nature and consist of shallow (<10 cm), tan to light brown, poorly sorted, loosely compacted, sandy clay loam mixed with eroding sandstones, clay and shales. Vegetation along the access is characteristic of a low sagebrush community and contains low sagebrush, budsage, saltbush and bunchgrasses. The hill and ridge tops and isolated slopes are dominated by sparse stands of Pinyon and juniper trees with a understory of mountain mahogany, low sage, yucca and bunchgrasses.

The surrounding area vegetation is characteristic of a Pinyon/juniper community. Pinyon and juniper with a understory of mountain mahogany, low sagebrush, yucca, bunchgrasses along the hill and ridge slopes, while a low sagebrush community can be found on the ridge top flats and open parks. The proposed well location is located at an elevation of 6323.84 feet (1928 m) AMSL.

Field Methods

A total of 10 acres was surveyed around the centerstake of the proposed well location to allow for relocation of the pad if necessary. The survey was accomplished by walking transects spaced no more than 15 meters apart. The proposed access and pipeline parallel each other. Each of these linear corridors surveyed is 1300 feet (396.3 m) long and 100 feet (304.8 m) wide, 2.98 acres. Thus, 5.96 linear acres was surveyed.

Geologic landforms (rockshelters, alcoves, ridge tops and saddles) and areas of subsurface exposure (ant hills, blowouts, rodent holes and burrow, eroding slopes and cutbanks) were examined with special care in order to locate cultural resources (sites, isolates) and possibly help assess a sites sedimentary integrity and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of ridge tops were covered. All exposures of sandstone cliff faces, alcoves or rockshelter, and talus slopes were surveyed.

When cultural materials are discovered, a more thorough survey of the immediate vicinity is conducted in order to locate any associated artifacts and to determine the horizontal extent (surface area) of the site. If no other artifacts are located during the search then the initial artifact was recorded as an isolated find. At times, isolated formal tools (typical end scrapers, projectile points) were drawn and measured. The isolate was then described and its location plotted on a U.S.G.S.

topographic map and UTM coordinates are recorded.

When sites are found a Intermountain Antiquities Computer System (IMACS) form was used to record the site. At all sites, selected topographic features, site boundaries, stone tools and cultural features (hearths, foundations, trash dumps and trails) are mapped. Sites were mapped with a Brunton compass, Trimble Geophysical 3 GPS, and/or Gramin E-Trex GPS, and pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale 1995 et al 1995:7) according to material type, basic flake type, and so on. Selected (mostly complete) stone tools and projectile points are drawn and measured. All features (rockart panel(s), hearths, foundations, trash dumps and trails), measured and described, while selected features are either drawn or photographed.

Site#location data is recorded by a Trimble Geophysical 3 Global Positioning System and/or a Gramin GPS III Plus or E-Trex GPS. Site elevation and Universal Transverse Mercator (UTM) grid data, its Estimated Position Error (EPE) and Dilution of Precision (DOP) were recorded. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

Results

A total of 15.96 acres (10 block, 5.96 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #9-4-54 and along its access and pipeline. No cultural resources were recorded during the survey.

Recommendations

A total of 15.96 acres (10 block, 5.96 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #9-4-54 and along its access and pipeline.

No additional cultural resources were recorded during the survey. The possibility of buried and intact cultural materials located on the proposed well pad or along its, access and pipeline is low. Therefore, no additional archaeological work is necessary and clearance is recommended for the construction of the proposed Ute Tribal #9-4-54 well pad, its access and flowline.

REFERENCES CITED

Childs, O.E.

- 1950 Geologic history of the Uinta Basin, Utah Geological and Mineralogical Survey. Guidebook to the Geology of Utah, NO. 5:49-59.

Stokes, William Lee

- 1986 Geology of Utah. Contributions by Utah Museum of Natural History, and the Utah Geological and Mineral Survey Department of Natural Resources. Utah Museum of Natural History, Occasional Papers, Number 6.

Thornbury, William D.

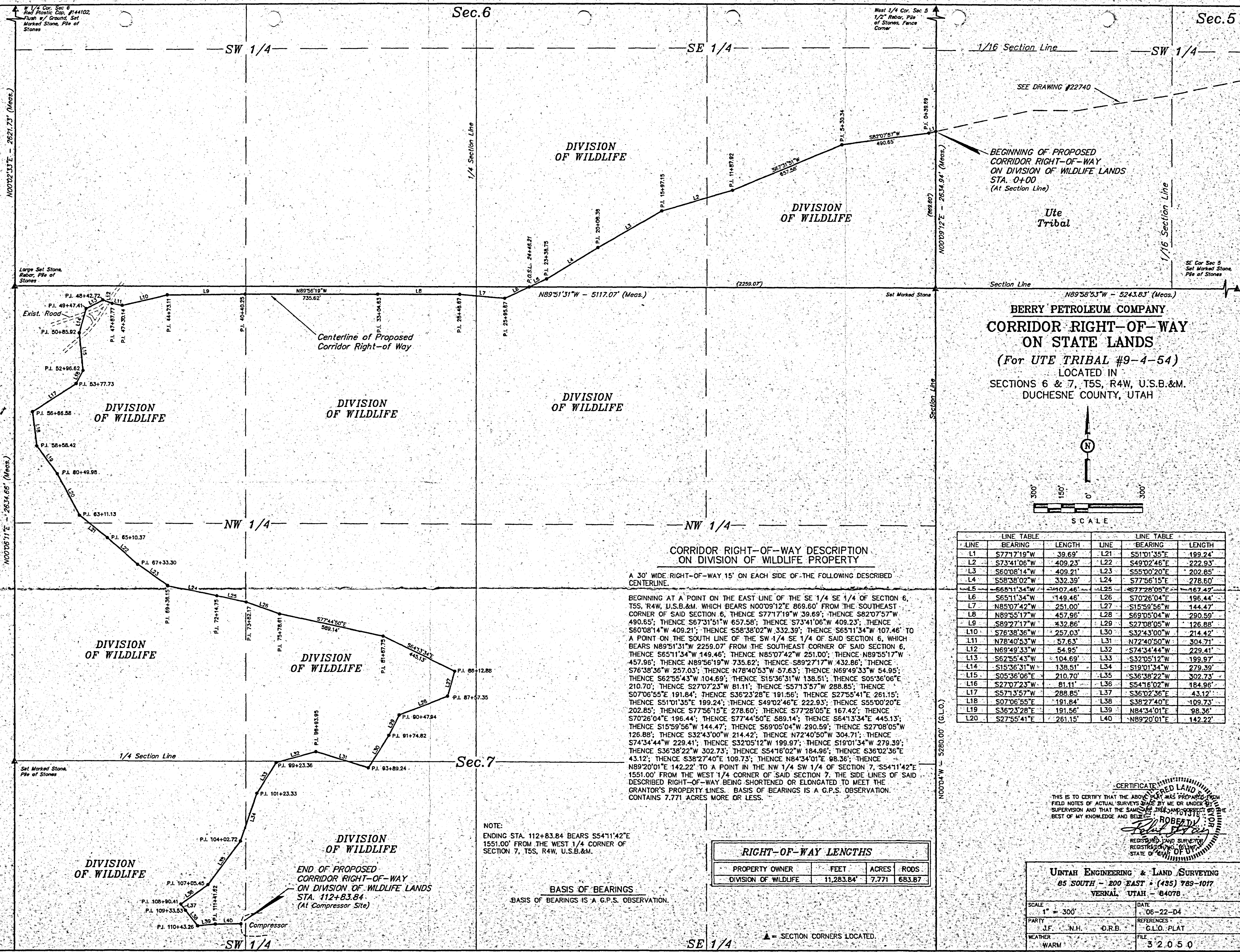
- 1965 Regional Geomorphology of the United States. John Wiley & Sons, Inc.

Truesdale, James A., Kathleen E Hiatt, and Clifford Duncan

- 1995 Cultural Resource Inventory of the Proposed Ouray Gravel Pit Location, Uintah-Ouray Ute Reservation, Uintah County, Utah. Report prepared for U & W Construction, Ft. Duchesne, Utah by AIA, Laramie, Wyoming.

Sec.6

Sec.5



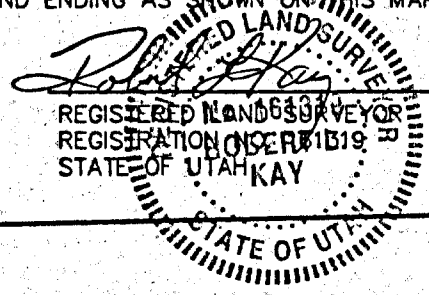
TOTAL CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 10321.00' OR 1.955 MILES. WIDTH OF RIGHT-OF-WAY IS 30' (15' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 7.108 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF UTAH }
COUNTY OF UTAH } SS

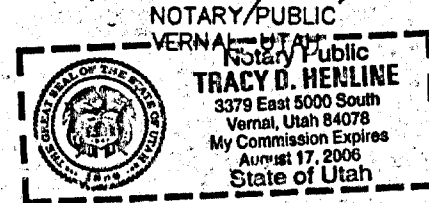
ROBERT L. KAY, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR BERRY PETROLEUM COMPANY, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION); THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES, AND THAT SAID RIGHT-OF-WAY, 1.955 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 15 DAY OF July 2004.

MY COMMISSION EXPIRES Aug 17 2006



APPLICANT'S CERTIFICATE

I, ED COURTHRIGHT, DO HEREBY CERTIFY THAT I AM THE AGENT FOR BERRY PETROLEUM COMPANY, HEREINAFTER DESIGNATED THE APPLICANT; THAT ROBERT L. KAY WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY, 1.955 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 103+21.00, THAT SAID DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY ARE ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

APPLICANT

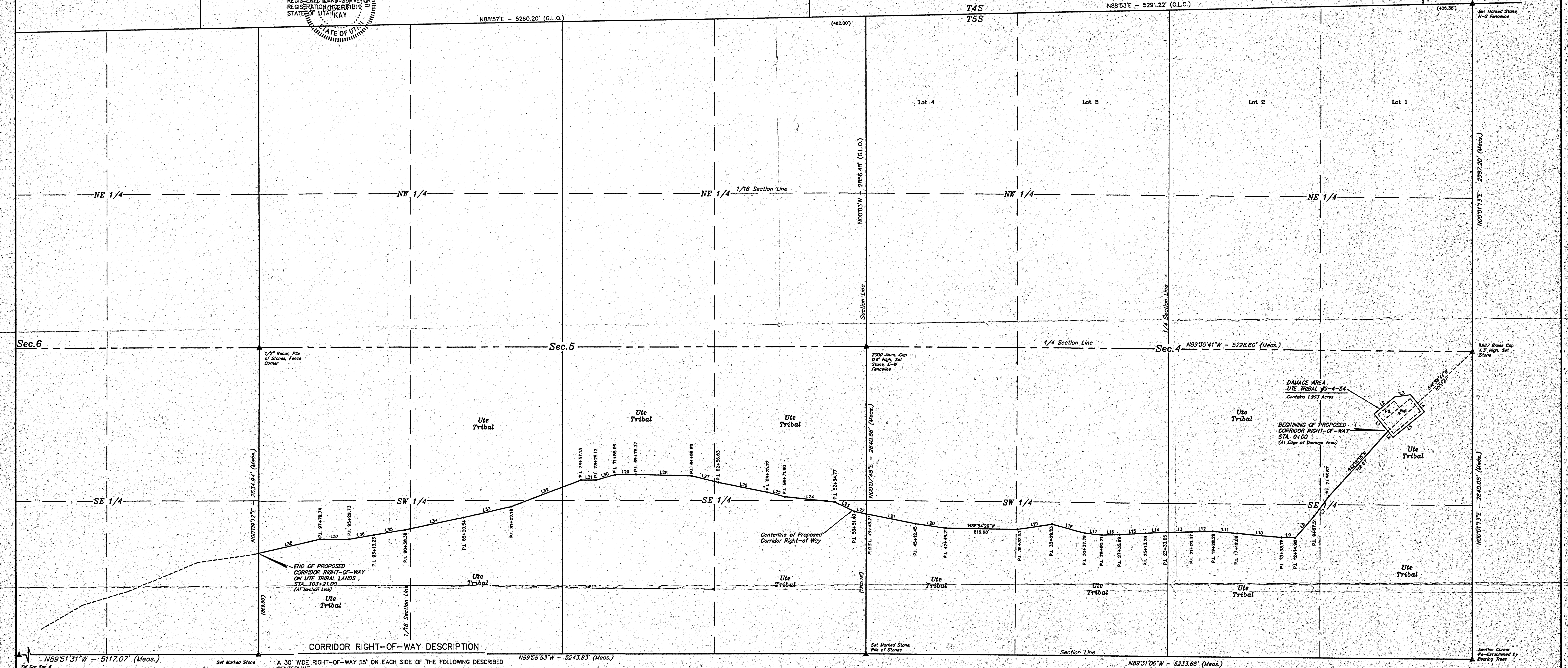
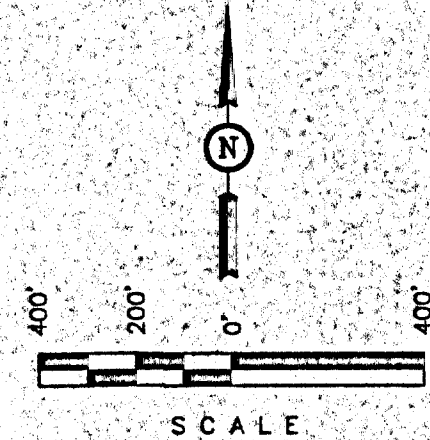
PRODUCTION SUPERVISOR
TITLE

BERRY PETROLEUM COMPANY

LOCATION DAMAGE AREA & CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

(For UTE TRIBAL #9-4-54)

LOCATED IN
SECTIONS 4 & 5, T5S, R4W, U.S.B.&M.
DUCHESE-COUNTY, UTAH



CORRIDOR RIGHT-OF-WAY DESCRIPTION

A 30' WIDE RIGHT-OF-WAY 15' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NE 1/4 SE 1/4 OF SECTION 4, T5S, R4W, U.S.B.&M. WHICH BEARS S46°56'44"W 1000.81' FROM THE EAST 1/4 CORNER OF SAID SECTION 4, THENCE S42°18'15"W 756.67'; THENCE S36°53'46"W 210.84'; THENCE S41°03'29"W 247.47'; THENCE N89°04'59"W 118.78'; THENCE N84°24'04"W 386.13'; THENCE N85°29'57"W 208.40'; THENCE S88°37'23"W 181.08'; THENCE S88°58'41"W 224.28'; THENCE S87°28'54"W 179.63'; THENCE S86°48'23"W 222.71'; THENCE S88°45'30"W 154.22'; THENCE N84°10'42"W 147.08'; THENCE N74°49'08"W 291.94'; THENCE S81°58'50"W 303.30'; THENCE N88°54'29"W 616.68'; THENCE N81°45'40"W 263.24'; THENCE N78°42'22"W 432.76' TO A POINT ON THE WEST LINE OF THE SW 1/4 SW 1/4 OF SECTION 4, WHICH BEARS N00°07'48"E 1205.18' FROM THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N78°42'22"W 106.19'; THENCE N64°41'42"W 183.37'; THENCE N83°47'38"W 437.13'; THENCE N75°59'04"W 153.32'; THENCE N78°20'42"W 431.61'; THENCE N76°22'54"W 240.16'; THENCE N88°34'50"W 479.38'; THENCE S89°01'02"W 179.59'; THENCE S74°17'14"W 169.16'; THENCE N89°50'14"W 132.01'; THENCE S69°21'39"W 645.03'; THENCE S77°09'09"W 418.38'; THENCE S78°16'07"W 517.85'; THENCE S80°50'31"W 274.84'; THENCE S80°12'48"W 216.50'; THENCE N89°49'07"W 250.01'; THENCE S77°17'18"W 541.26' TO A POINT ON THE WEST LINE OF THE SW 1/4 SW 1/4 OF SECTION 5, T5S, R4W, U.S.B.&M. WHICH BEARS N00°09'12"E 869.60' FROM THE SOUTHWEST CORNER OF SAID SECTION 5, THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 7.108 ACRES MORE OR LESS.

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N89°50'14"W	132.01	L21	N78°42'22"W	432.76
L2	N80°27'50"E	230.00	L22	N78°42'22"W	106.19
L3	N81°31'31"E	138.82	L23	N64°41'42"W	183.37
L4	S89°52'10"W	180.00	L24	N82°47'38"W	437.13
L5	S80°12'48"W	300.00	L25	N85°29'57"W	208.40
L6	N89°50'14"W	68.78	L26	N78°20'42"W	431.61
L7	S88°54'29"W	210.84	L27	N78°20'42"W	431.61
L8	S41°03'29"W	247.47	L28	N78°20'42"W	240.16
L9	N89°04'59"W	118.78	L29	N88°34'50"W	479.38
L10	N84°24'04"W	386.13	L30	S74°17'14"W	169.16
L11	N85°29'57"W	208.40	L31	S69°21'39"W	645.03
L12	S88°37'23"W	181.08	L32	S77°09'09"W	418.38
L13	S88°58'41"W	224.28	L33	S78°16'07"W	517.85
L14	S87°28'54"W	179.63	L34	S80°12'48"W	216.50
L15	S88°45'30"W	154.22	L35	S80°50'31"W	274.84
L16	N84°10'42"W	147.08	L36	S89°49'07"W	250.01
L17	N74°49'08"W	291.94	L37	N78°42'22"W	106.19
L18	N81°45'40"W	263.24	L38	N78°42'22"W	432.76
L19	S81°58'50"W	303.30			

DAMAGE AREA DESCRIPTION

BEGINNING AT A POINT IN THE NE 1/4 SE 1/4 OF SECTION 4, T5S, R4W, U.S.B.&M. WHICH BEARS S46°56'44"W 1000.81' FROM THE EAST 1/4 CORNER OF SAID SECTION 4, THENCE N39°02'10"W 191.24'; THENCE N50°57'50"E 230.00'; THENCE N81°31'31"E 138.82'; THENCE S39°21'01"E 190.00'; THENCE S50°57'50"W 350.00'; THENCE N39°02'10"W 68.78' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.993 ACRES MORE OR LESS.

RIGHT-OF-WAY LENGTHS

PROPERTY OWNER	FEET	ACRES	RODS
UTE TRIBAL	10,321.00'	7.108	625.52

BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

▲ = SECTION CORNERS LOCATED.

CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT L. KAY
REGISTERED LAND SURVEYOR
STATE OF UTAH
REGISTRATION NO. 18138

UTAH ENGINEERING & SURVEYING
85 SOUTH - 200 EAST • (435) 789-1017
VERNAL, UTAH - 84076

SCALE 1" = 400'	DATE 06-22-04
PARTY J.T. N.H. D.R.B.	REFERENCES G.L.O. PLAT
WEATHER WARM	FILE 2-2740

BERRY PETROLEUM COMPANY

UTE TRIBAL #9-4-54

LOCATED IN DUCHESNE COUNTY, UTAH
SECTION 4, T5S, R4W, U.S.B.&M.



PHOTO: VIEW FROM LOCATION STAKE TO CORNER #1

CAMERA ANGLE: SOUTHEASTERLY



PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: EASTERLY



- Since 1964 -

UELS Uintah Engineering & Land Surveying
85 South 200 East Vernal, Utah 84078
435-789-1017 uels@uelsinc.com

LOCATION PHOTOS

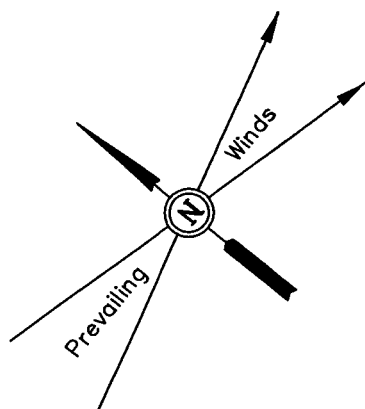
05 **12** **04**
MONTH DAY YEAR

PHOTO

TAKEN BY: J.F.

DRAWN BY: J.D.G.

REVISED: 00-00-00



F-8.8
El. 309.3

C-12.9
El. 321.0'
(Btm. Pit)

Approx. $\frac{1}{2}$
Top of
Cut Slope

**Reserve Pit Backfill
& Spoils Stockpile**

10' WIDE BENCH

RESERVE PITS
(10' Deep)

1 1/2:1 Slope

C-1.2'
El. 319.3'

DOG HOUSE

F-4.7'
El. 313.4'

Sta. 1+50

Sta. 0+50

Sta. 0+00

C-19.7
El. 327.8'
(Btm. Pit)

C-4.7'
El. 322.8'

C-3.4'
El. 321.5'

C-3.4'
El. 321.5'

-Proposed Access Road

Elev. Ungraded Ground at Location Stake = 6319.5'
Elev. Graded Ground at Location Stake = 6318.1'

UINTAH ENGINEERING & LAND SURVEYING
85 So. 200 East * Vernal, Utah 84078 * (435) 789-1017

BERRY PETROLEUM COMPANY

TYPICAL CROSS SECTIONS FOR

UTE TRIBAL #9-4-54

SECTION 4, T5S, R4W, U.S.B.&M.

2108' FSL 631' FEL

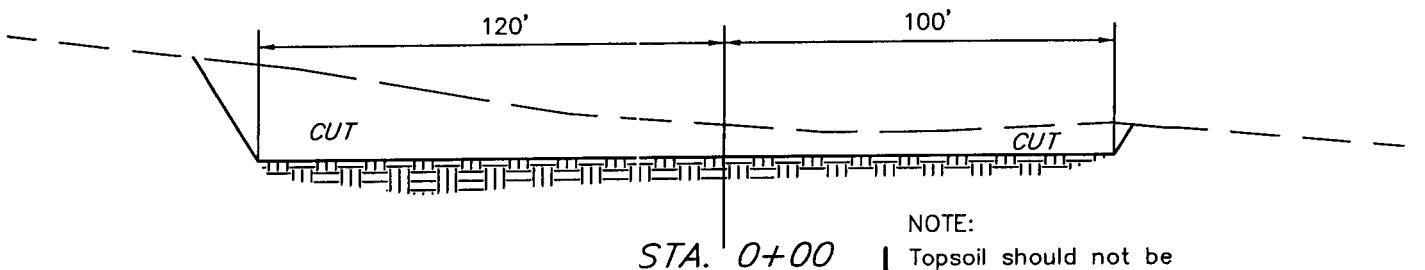
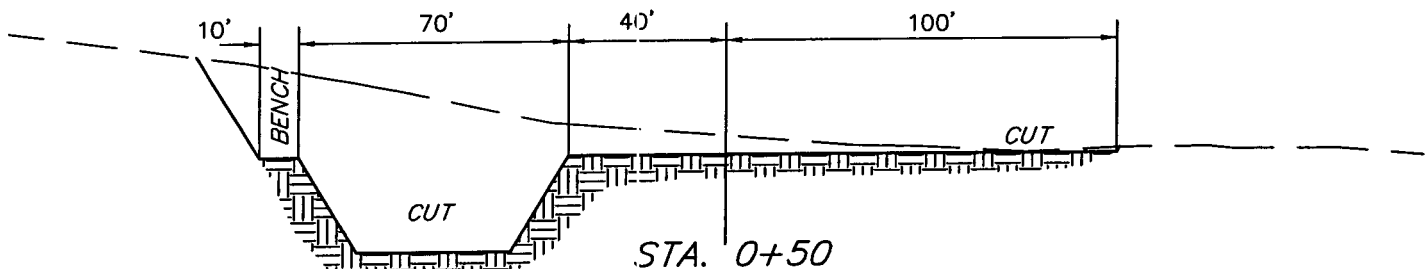
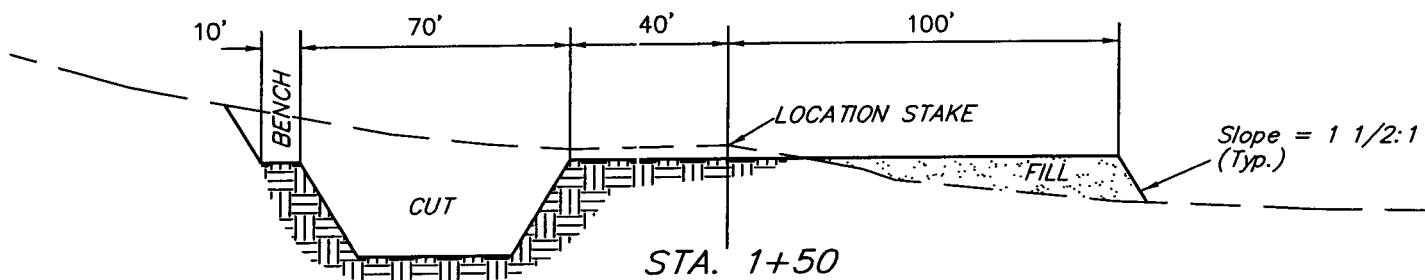
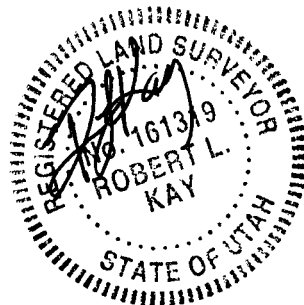
1" = 20'
X-Section
Scale
1" = 50'

DATE: 06-22-04
DRAWN BY: D.R.B.

Preconstruction
Grade

Finished Grade

STA. 3+00



* NOTE:
FILL QUANTITY INCLUDES
5% FOR COMPACTION

NOTE:

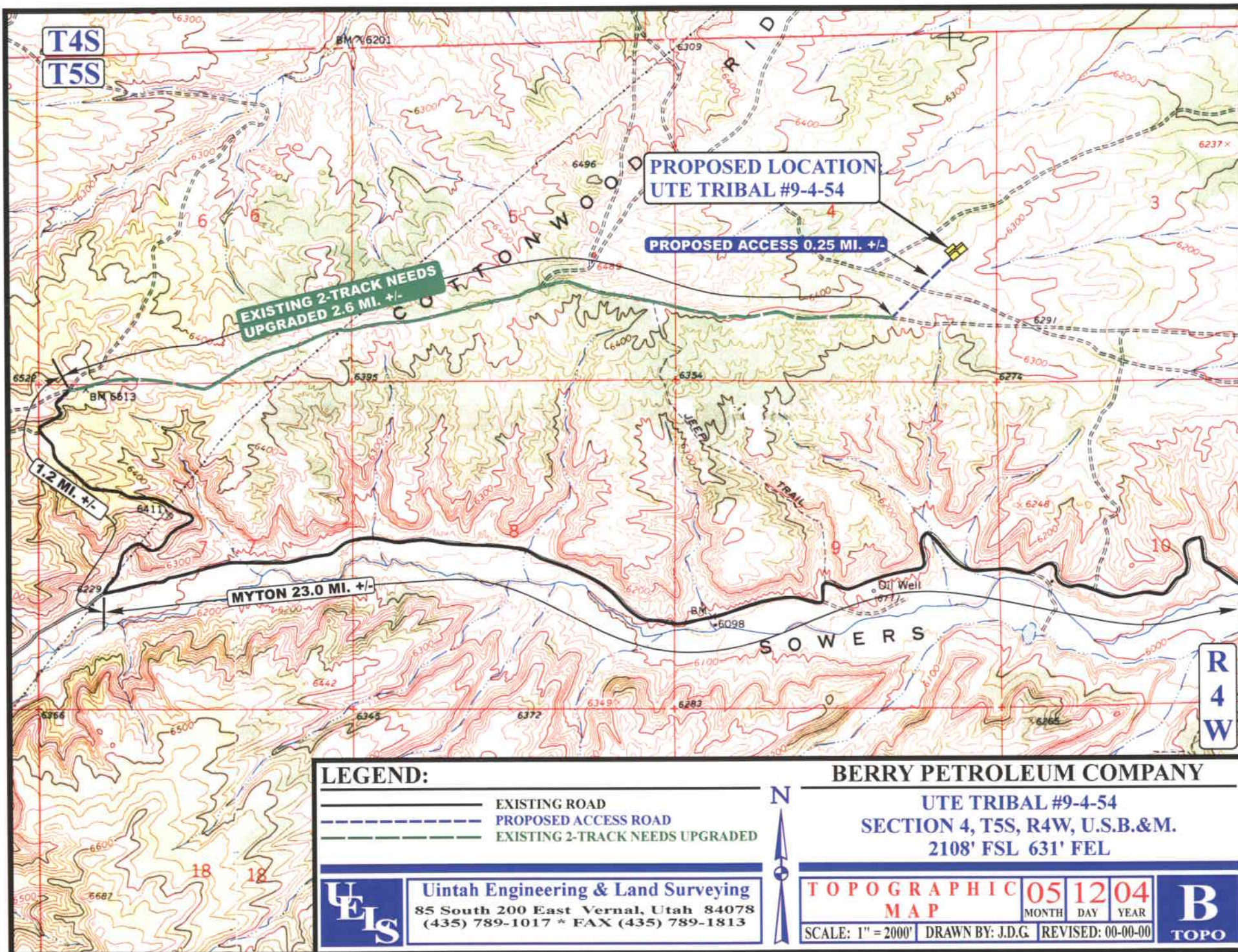
Topsoil should not be
Stripped Below Finished
Grade on Substructure Area.

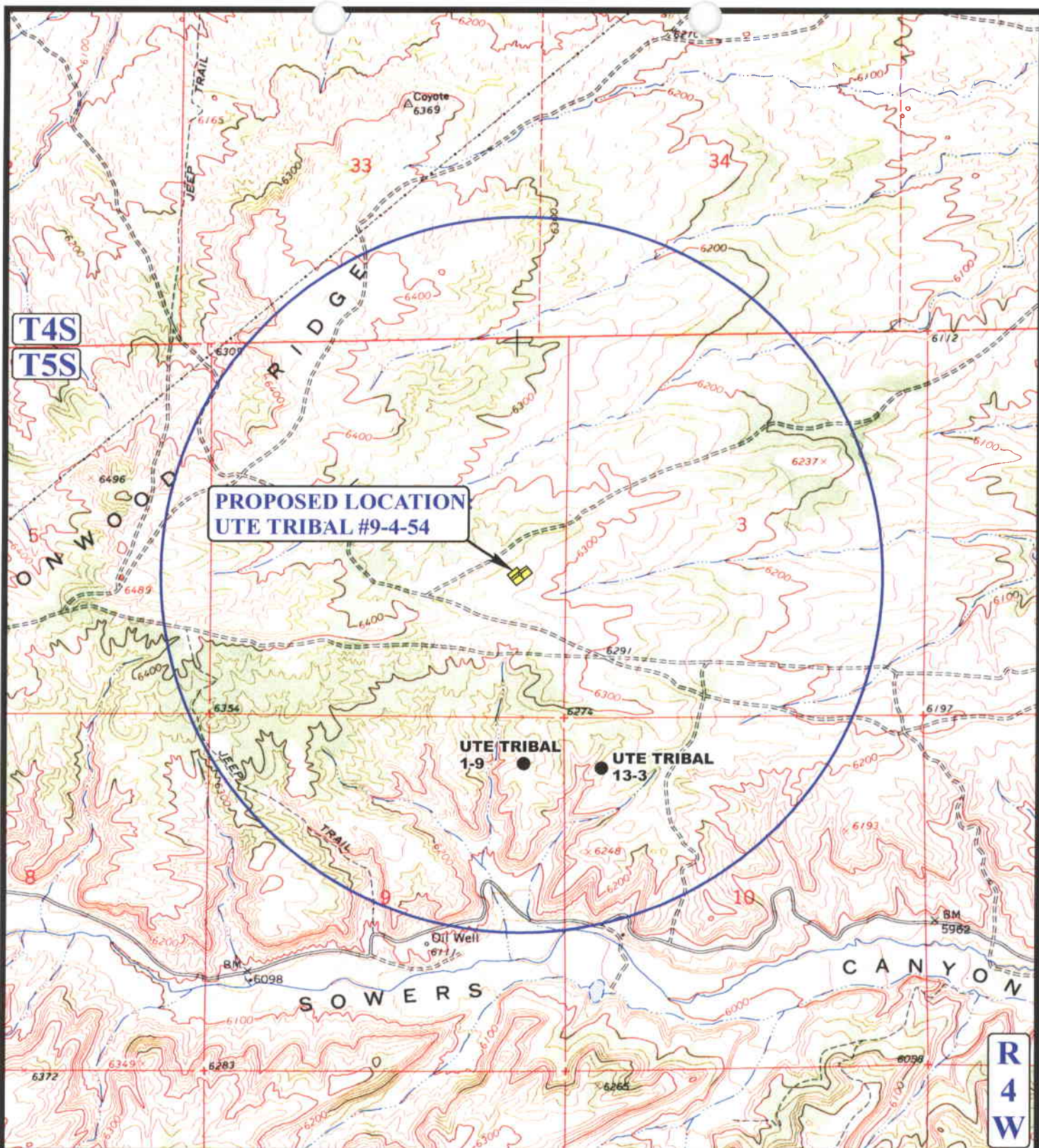
APPROXIMATE YARDAGES

CUT
(12") Topsoil Stripping = 2,550 Cu. Yds.
Remaining Location = 6,690 Cu. Yds.
TOTAL CUT = 9,240 CU.YDS.
FILL = 4,990 CU.YDS.

EXCESS MATERIAL = 4,250 Cu. Yds.
Topsoil & Pit Backfill = 4,250 Cu. Yds.
(1/2 Pit Vol.)
EXCESS UNBALANCE = 0 Cu. Yds.
(After Rehabilitation)

UINTAH ENGINEERING & LAND SURVEYING
85 So. 200 East * Vernal, Utah 84078 * (435) 789-1017





LEGEND:

- DISPOSAL WELLS
- PRODUCING WELLS
- SHUT IN WELLS
- WATER WELLS
- ABANDONED WELLS
- TEMPORARILY ABANDONED

BERRY PETROLEUM COMPANY

UTE TRIBAL #9-4-54
 SECTION 4, T5S, R4W, U.S.B.&M.
 2108' FSL 631' FEL



Uintah Engineering & Land Surveying
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

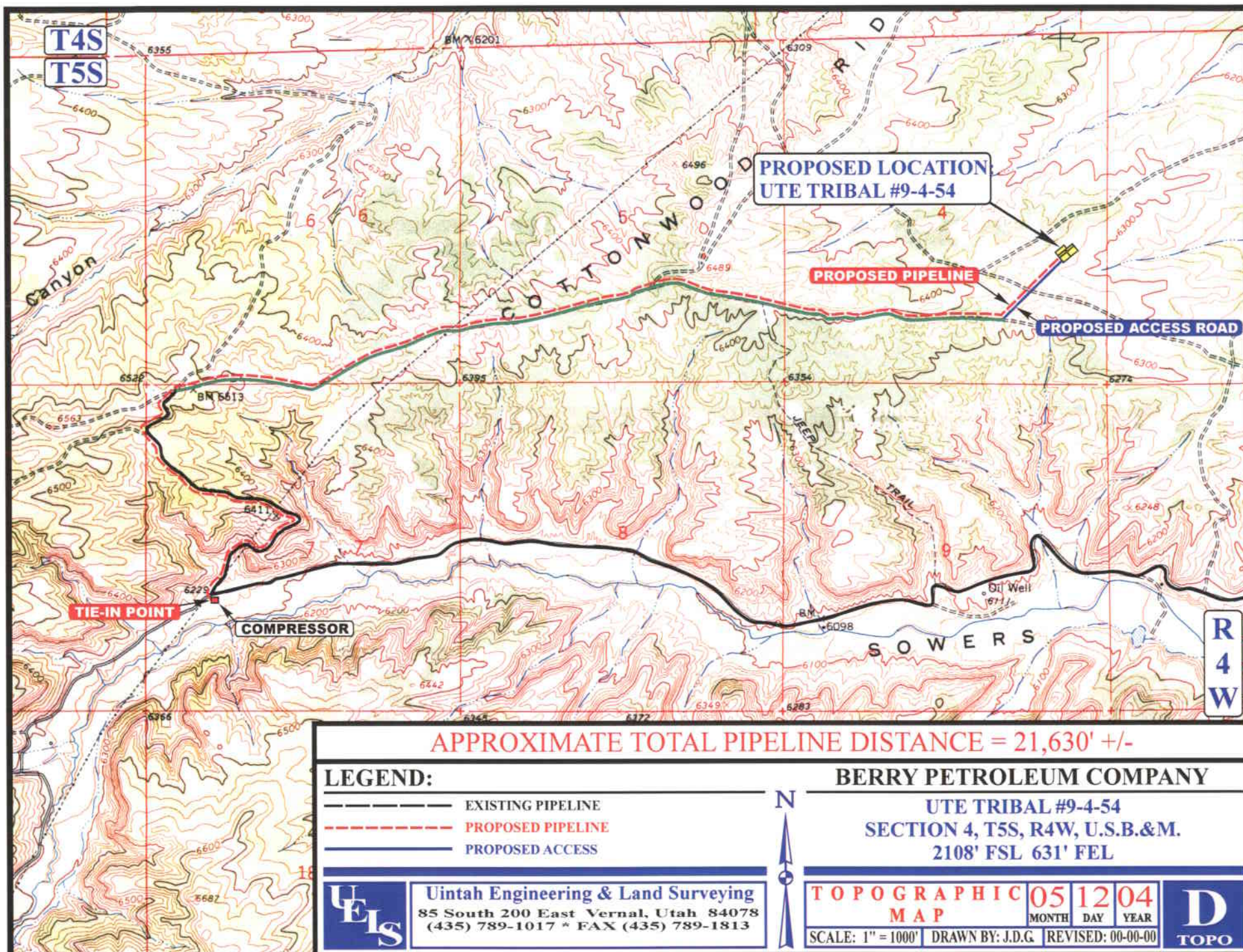


TOPOGRAPHIC
 MAP

05 12 04
 MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: J.D.G. REVISED: 00-00-00





WORKSHEET
APPLICATION FOR PERMIT TO DRILL

APD RECEIVED: 10/25/2004

API NO. ASSIGNED: 43-013-32700

WELL NAME: UTE TRIBAL 9-4-54

OPERATOR: BERRY PETROLEUM COMPANY (N2480)

CONTACT: DEBBIE WISENER

PHONE NUMBER: 435-722-1325

PROPOSED LOCATION:

NESE 04 050S 040W

SURFACE: 2108 FSL 0631 FEL

BOTTOM: 2108 FSL 0631 FEL

DUCHESNE

UNDESIGNATED (2)

LEASE TYPE: 2 - Indian

LEASE NUMBER: 14-20-H62-4778

SURFACE OWNER: 2 - Indian

PROPOSED FORMATION: GRRV

COALBED METHANE WELL? NO

INSPECT LOCATN BY: / /

Tech Review	Initials	Date
Engineering		
Geology		
Surface		

LATITUDE: 40.07386

LONGITUDE: -110.3330

RECEIVED AND/OR REVIEWED:

☒ Plat

☒ Bond: Fed[] Ind[2] Sta[] Fee[]
 (No. RLB0005651)

☒ Potash (Y/N)

☒ Oil Shale 190-5 (B) or 190-3 or 190-13

☒ Water Permit
 (No. 43-11041)

☒ RDCC Review (Y/N)
 (Date:)

☒ Fee Surf Agreement (Y/N)

LOCATION AND SITING:

R649-2-3.

Unit

☒ R649-3-2. General

Siting: 460 From Qtr/Qtr & 920' Between Wells

R649-3-3. Exception

Drilling Unit

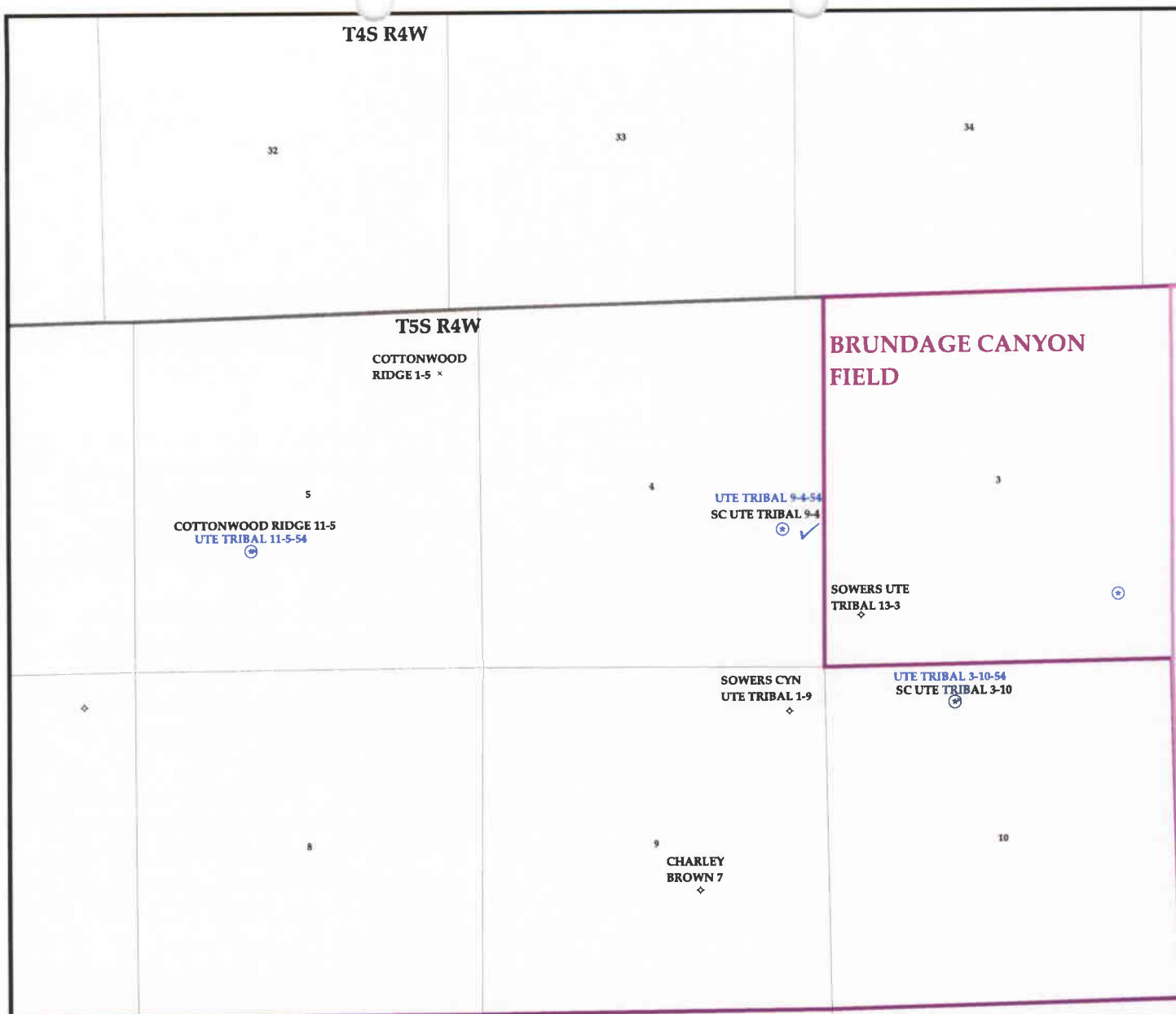
Board Cause No:

Eff Date:

Siting:

R649-3-11. Directional Drill

COMMENTS: See Separate FileSTIPULATIONS: 1- Federal Approval
2- Spacing Strip



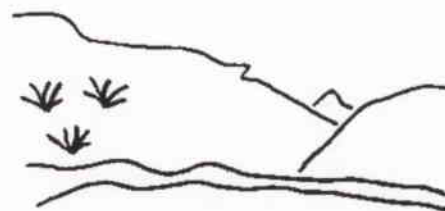
OPERATOR: BERRY PETRO CO (N2480)

SEC. 4 T.5S R.4W

FIELD: UNDESIGNATED (002)

COUNTY: DUCHESNE

SPACING: R649-3-2 / GENERAL SITING



Utah Oil Gas and Mining

Wells

- ✂ GAS INJECTION
- ◻ GAS STORAGE
- × LOCATION ABANDONED
- ⊕ NEW LOCATION
- ⬠ PLUGGED & ABANDONED
- ✱ PRODUCING GAS
- PRODUCING OIL
- ✱ SHUT-IN GAS
- ✱ SHUT-IN OIL
- × TEMP. ABANDONED
- TEST WELL
- △ WATER INJECTION
- ⬠ WATER SUPPLY
- ⬠ WATER DISPOSAL

Units.shp

- EXPLORATORY
- GAS STORAGE
- NF PP OIL
- NF SECONDARY
- PENDING
- PI OIL
- PP GAS
- PP GEOTHERML
- PP OIL
- SECONDARY
- TERMINATED

Fields.shp

- ABANDONED
- ACTIVE
- COMBINED
- INACTIVE
- PROPOSED
- STORAGE
- TERMINATED



PREPARED BY: DIANA WHITNEY
DATE: 26-OCTOBER-2004



State of Utah

Department of
Natural ResourcesROBERT L. MORGAN
*Executive Director*Division of
Oil, Gas & MiningLOWELL P. BRAXTON
*Division Director*OLENE S. WALKER
*Governor*GAYLE F. McKEACHNIE
Lieutenant Governor

October 26, 2004

Berry Petroleum Company
Rt. 3, Box 3020
Roosevelt, UT 84066Re: Ute Tribal 9-4-54 Well, 2108' FSL, 631' FEL, NE SE, Sec. 4, T. 5 South,
R. 4 West, Duchesne County, Utah

Gentlemen:

Pursuant to the provisions and requirements of Utah Code Ann. § 40-6-1 *et seq.*, Utah Administrative Code R649-3-1 *et seq.*, and the attached Conditions of Approval, approval to drill the referenced well is granted.

This approval shall expire one year from the above date unless substantial and continuous operation is underway, or a request for extension is made prior to the expiration date. The API identification number assigned to this well is 43-013-32700.

Sincerely,

John R. Baza
Associate Director

pab
Enclosurescc: Duchesne County Assessor
Bureau of Land Management, Vernal District Office

Operator: Berry Petroleum Company
Well Name & Number Ute Tribal 9-4-54
API Number: 43-013-32700
Lease: 14-20-H62-4778

Location: NE SE **Sec.** 4 **T.** 5 South **R.** 4 West

Conditions of Approval

1. General

Compliance with the requirements of Utah Admin. R. 649-1 *et seq.*, the Oil and Gas Conservation General Rules, and the applicable terms and provisions of the approved Application for permit to drill.

2. Notification Requirements

Notify the Division within 24 hours of spudding the well.

- Contact Carol Daniels at (801) 538-5284.

Notify the Division prior to commencing operations to plug and abandon the well.

- Contact Dan Jarvis at (801) 538-5338

3. Reporting Requirements

All required reports, forms and submittals will be promptly filed with the Division, including but not limited to the Entity Action Form (Form 6), Report of Water Encountered During Drilling (Form 7), Weekly Progress Reports for drilling and completion operations, and Sundry Notices and Reports on Wells requesting approval of change of plans or other operational actions.

4. State approval of this well does not supersede the required federal approval, which must be obtained prior to drilling.

5. This proposed well is located in an area for which drilling units (well spacing patterns) have not been established through an order of the Board of Oil, Gas and Mining (the "Board"). In order to avoid the possibility of waste or injury to correlative rights, the operator is requested, once the well has been drilled, completed, and has produced, to analyze geological and engineering data generated therefrom, as well as any similar data from surrounding areas if available. As soon as is practicable after completion of its analysis, and if the analysis suggests an area larger than the quarter-quarter section upon which the well is located is being drained, the operator is requested to seek an appropriate order from the Board establishing drilling and spacing units in conformance with such analysis by filing a Request for Agency Action with the Board.

006

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR PERMIT TO DRILL, DEEPEN, OR PLUG BACK

1a. TYPE OF WORK

DRILL ☒

DEEPEN ☐

PLUG BACK ☐

b. TYPE OF WELL

Oil well ☒

Gas well ☐

OTHER

Single zone ☒

Multiple zone ☐

2. NAME OF OPERATOR

BERRY PETROLEUM COMPANY

3. ADDRESS OF OPERATOR

1614 SOUTH 2000 WEST, RT. 3 BOX 3020, ROOSEVELT, UT. 84066

4. LOCATION OF WELL (Report location clearly and in accordance with any State requirements.)

At surface

(NE/SE) 2108' FSL, 631' FEL

NAD 27

40.073842 LAT

110.332894 LONG

At proposed prod. zone

SAME AS ABOVE

14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE

27.1 MILES FROM MYTON, UTAH

43-013-32700

15. DISTANCE FROM PROPOSED* LOCATION TO NEAREST PROPERTY OR LEASE LINE, FT.

(Also to nearest drilg. unit line, if any)

631'

16. NO. OF ACRES IN LEASE

640

17. NO OF ACRES ASSIGNED TO THIS WELL

40

18. DISTANCE FROM PROPOSED LOCATION* TO NEAREST WELL, DRILLING, COMPLETED OR APPLIED FOR, ON THIS LEASE. FT.

N/A

19. PROPOSED DEPTH

6410'

20. ROTARY OR CABLE TOOLS

ROTARY

21. ELEVATIONS (Show whether DF, RT, GR, etc.)

6318' GR

22. APPROX. DATE WORK WILL START*

REFER TO BPC SOP PLAN

23.

PROPOSED CASING AND CEMENTING PROGRAM

SIZE OF HOLE	SIZE OF CASING	WEIGHT PER FOOT	SETTING DEPTH	QUANTITY OF CEMENT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN				

OPERATOR REQUESTS PERMISSION TO DRILL THE SUBJECT WELL. PLEASE SEE THE ATTACHED CONDITIONS FOR APPROVAL.

IF YOU REQUIRE ADDITIONAL INFORMATION PLEASE CONTACT:

EDDY COURTRIGHT
1614 SOUTH 2000 WEST
RT. 3 BOX 3020
ROOSEVELT, UTAH 84066

OFFICE: (435)722-1325

CELLULAR: (435)823-1862

DIV. OF OIL, GAS & MINING

BIA BOND # ~~UTB000005~~ RL30005750

PLEASE KEEP THIS INFORMATION ON THIS WELL **CONFIDENTIAL**

IN ABOVE SPACE DESCRIBE PROPOSED PROGRAM: If proposal is to deepen or plug back, give data on present productive zone and proposed new productive zone. If proposal is to drill or deepen directionally, give pertinent data on subsurface locations and measured and true vertical depths. Give blowout preventer program, if any.

24.

SIGNED

TITLE Production & Regulatory Technician

DATE 09/03/04

(This space for Federal or State office use)

PERMIT NO.

APPROVAL DATE

Assistant Field Manager

APPROVED BY
CONDITIONS OF APPROVAL IF ANY

TITLE Mineral Resources

DATE

03/25/2005

*See Instructions On Reverse Side

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States and false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

NOTICE OF APPROVAL

CONDITIONS OF APPROVAL
APPLICATION FOR PERMIT TO DRILL

Company/Operator: Berry Petroleum Company

Well Name & Number: Ute Tribal 9-4-54

API Number: 43-013-32700

Lease Number: _____

Location: NESE Sec. 4 T. 5S R. 4W

Agreement: 1420-H62-4778 (E&D)

For more specific details on notification requirements, please check the Conditions of Approval for Notice to Drill and Surface Use Program.

CONDITIONS OF APPROVAL FOR NOTICE TO DRILL

Approval of this application does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Be aware fire restrictions may be in effect when location is being constructed and/or when well is being drilled. Contact the appropriate Surface Management Agency for information.

1. Estimated Depth at Which Oil, Gas, Water, or Other Mineral Bearing Zones are Expected to be Encountered

Report ALL water shows and water-bearing sands to John Mayers of this office **prior to setting the next casing string or requesting plugging orders**. Faxed copies of State of Utah form OGC-8-X are acceptable. If noticeable water flows are detected, submit samples to this office along with any water analyses conducted.

All usable water and prospectively valuable minerals (as described by BLM at onsite) encountered during drilling, will be recorded by depth and adequately protected. All oil and gas shows will be tested to determine commercial potential.

2. Pressure Control Equipment

The BOP and related equipment shall meet the minimum requirements of Onshore Oil & Gas Order No. 2 for equipment and testing requirements, procedures, etc., for a 2M system and individual components shall be operable as designed.

3. Casing Program and Auxiliary Equipment

As a minimum requirement, the cement behind the production casing must extend 200' above the top of the Green River Formation identified at $\pm 1597'$.

4. Coring, Logging and Testing Program

A cement bond log (CBL) will be run from the production casing shoe to the surface casing shoe and shall be utilized to determine the bond quality for the production casing

Please submit an electronic copy of all logs run on this well in LAS format. This submission will supersede the requirement for submittal of paper logs to the BLM. The cement bond log must be submitted in raster format (TIF, PDF or other).

5. Notifications of Operations

Daily drilling and completion progress reports shall be submitted to this office on a weekly basis.

6. Other Information

All loading lines will be placed inside the berm surrounding the tank battery.

All off-lease storage, off-lease measurement, or commingling onlease or off-lease will have prior written approval from the AO.

In the event after-hours approvals are necessary, you must contact one of the following individuals:

Kirk Fleetwood (435) 828-7874
Petroleum Engineer

Michael Lee (435) 828-7875
Petroleum Engineer

BLM FAX Machine (435) 781-4410

EPA'S LIST OF NONEXEMPT EXPLORATION AND PRODUCTION WASTES

While the following wastes are nonexempt, they are not necessarily hazardous.

Unused fracturing fluids or acids

Gas plant cooling tower cleaning wastes

Painting wastes

Oil and gas service company wastes, such as empty drums, drum rinsate, vacuum truck rinsate, sandblast media, painting wastes, spent solvents, spilled chemicals, and waste acids

Vacuum truck and drum rinsate from trucks and drums, transporting or containing nonexempt waste

Refinery wastes

Liquid and solid wastes generated by crude oil and tank bottom reclaimers

Used equipment lubrication oils

Waste compressor oil, filters, and blowdown

Used hydraulic fluids

Waste solvents

Waste in transportation pipeline-related pits

Caustic or acid cleaners

Boiler cleaning wastes

Boiler refractory bricks

Incinerator ash

Laboratory wastes

Sanitary wastes

Pesticide wastes

Radioactive tracer wastes

Drums, insulation and miscellaneous solids

**SURFACE USE PROGRAM
CONDITIONS OF APPROVAL (COAs)**

Berry Petroleum Co. (Berry) will assure the Ute Tribe that any/all contractors and subcontractors have acquired a current Tribal Business License and have updated "Access Permits" prior to construction. All Berry personnel, contractors and subcontractors will have these permits in their vehicles at all times. Companies that have not complied with this COA will be in violation of the Ute Tribal Business License Ordinance, and will be subject to fines and penalties.

Berry employees, representatives, and/or authorized personnel (subcontractors) shall not carry firearms on their person or in their vehicles while working on the Uintah & Ouray Indian Reservation.

Berry employees and/or authorized personnel (subcontractors) in the field will have approved applicable APDs and/or ROW permits/authorizations on their person(s) during all phases of construction.

Berry will notify the Ute Tribe and Bureau of Indian Affairs (BIA) in writing of any requested modification of APDs or Rights-Of-Way (ROW). Berry shall receive written notification of authorization or denial of the requested modification. Without authorization, Berry will be subject to fines and penalties.

The Ute Tribe Energy & Minerals Department shall be notified in writing 48 hours in advance of any construction activity. The Ute Tribal office is open Monday through Thursday. A Tribal Technician is to routinely monitor construction. Berry shall make arrangements with the Ute Energy & Minerals Department for all monitoring that will exceed regular working hours for Tribal Technicians. A qualified Archaeologist accompanied by a Tribal Technician will monitor any trenching construction involved in the pipeline construction. Berry is to inform the contractors to maintain construction of the pipelines within the approved ROW.

A corridor ROW, 30 feet wide and 1301 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 14-20-54 well.

A corridor ROW, 30 feet wide and 10,321 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 9-04-54 well on BIA lands in Sections 4 and 5. Another portion of the pipeline route 11,284 feet long is located on UDWR lands in Sections 6 and 7. The new access road would be about 1215 feet long within Section 4, and the remainder of the pipeline corridors would follow existing roads on BIA and Utah Division of Wildlife Resources lands.

A corridor ROW, 30 feet wide and 4619 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 9-15-55 well.

The constructed travel width of these new access roads shall be limited to 18 feet. Upon authorization by the Ute Tribe Energy & Minerals Department, the ROWs may be wider where sharp curves, deep cuts and fills occur; or, where intersections with other roads are required.

Culverts and diversion ditches will be placed and constructed where needed.

Upon completion of the pertinent APD and ROWs construction, Berry will notify the Ute Tribe Energy & Minerals Department for a Tribal Technician to verify the Affidavit of Completion.

Production waters, oil, and other byproducts shall not be placed on access roads or the well pad.

All vehicular traffic, personnel movement, construction and restoration operations will be confined to the areas examined and approved and to the existing roadways and/or evaluated access routes.

Berry will implement "Safety and Emergency Plan" and ensure plan compliance.

Berry shall stop construction activities and notify personnel from the Ute Tribe Energy & Minerals Department and BIA if cultural remains including paleontology resources (vertebrate fossils) are exposed or identified during construction. The Ute Tribe Department of Cultural Rights and Protection and the BIA will provide mitigation measures prior to allowing construction.

Berry employees and/or authorized personnel (subcontractors) will not be allowed to collect artifacts and paleontology fossils. No significant cultural resources shall be disturbed.

Berry will control noxious weeds on the well sites and ROWs. Berry will be responsible for noxious weed control if weeds spread from the project area onto adjoining land.

Reserve pits will be lined with an impervious synthetic liner. A fence will be constructed around the reserve pit until it is backfilled. Prior to backfilling the reserve pit, all fluids will be pumped from the pit into trucks and hauled to approved disposal sites or shall be used to drill other wells. When the reserve pits are backfilled, the pit liner remnants, the surplus oil and mud, etc., will be buried a minimum of 3.0 feet below the surface of the soil.

A closed system will be used during production. This means that production fluids will be contained in leak-proof tanks. All production fluids will be disposed of at approved disposal sites.

Surface pipelines will be constructed to lay on the soil surface. The pipeline ROW will not be bladed or cleared of vegetation without authorization of the BIA. Surface pipelines shall be welded in place at well sites or on access roads and on other existing roads then pulled into place with suitable equipment. The pipeline portion of the ROW will not be bladed or cleared of vegetation without authorization of the BIA.

Buried pipelines shall be buried a minimum of 3 feet below the soil surface. After construction is completed the disturbed area shall be contoured to blend into the natural landscape and be reseeded between September 15 and November 1 of the year following construction with perennial vegetation seed mixture provided by the BIA or Ute Tribe.

Before each site is abandoned, Berry will be required to restore the well site and related ROWs to near their original state. The disturbed areas will be reseeded with desirable perennial vegetation.

Soil erosion will be mitigated, by reseeding all areas of disturbance.

STATE OF UTAH
DIVISION OF OIL, GAS, AND MINING

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill new wells, deepen existing wells, or to re-enter plugged and abandoned wells.
Use APPLICATION FOR PERMIT TO DRILL OR DEEPEN form for such proposals.

1. Type of Well: OIL ☒ GAS ☐ OTHER:

2. Name of Operator:

BERRY PETROLEUM COMPANY

3. Address and Telephone Number:

3846 SOUTH HWY 40, RT. 2 BOX 7735 ROOSEVELT, UTAH 84066 (435) 722-1325

4. Location of Well:

Footages: 2108' FSL, 631' FEL

QQ, Sec., T., R., M.: NESE SEC. 4, T5S, R4W USB&M

5. Lease Designation and Serial Number:

14-20-H62-4778 (E&D)

6. If Indian, Allottee or Tribe Name:

UTE TRIBE

7. Unit Agreement Name:

8. Well Name and Number:

UTE TRIBAL 9-4-54

9. API Well Number:

32700
43-013-32000

10. Field and Pool, or Wildcat:

WILDCAT

11. CHECK APPROPRIATE BOXES TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

NOTICE OF INTENT

(Submit in Duplicate)

- | | |
|--|---|
| <input type="checkbox"/> Abandon | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Repair Casing | <input type="checkbox"/> Pull or Alter Casing |
| <input type="checkbox"/> Change of Plans | <input type="checkbox"/> Recomplete |
| <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Reperforate |
| <input type="checkbox"/> Fracture Treat or Acidize | <input type="checkbox"/> Vent or Flare |
| <input type="checkbox"/> Multiple Completion | <input type="checkbox"/> Water Shut-Off |
| <input checked="" type="checkbox"/> Other ONE YEAR EXTENSION | |

Approximate date work will start

SUBSEQUENT REPORT

(Submit Original Form Only)

- | | |
|--|---|
| <input type="checkbox"/> Abandon | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Repair Casing | <input type="checkbox"/> Pull or Alter Casing |
| <input type="checkbox"/> Change of Plans | <input type="checkbox"/> Reperforate |
| <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Vent or Flare |
| <input type="checkbox"/> Fracture Treat or Acidize | <input type="checkbox"/> Water Shut-Off |
| <input type="checkbox"/> Other | |

Date of work completion

Report results of Multiple Completions and Recompletions to different reservoirs on WELL
COMPLETION OR RECOMPLETION REPORT AND LOG form.

* Must be accompanied by a cement verification report.

12. DESCRIBE PROPOSED OR COMPLETED OPERATIONS (Clearly state all pertinent details, and give pertinent dates. If well is directionally drilled, give subsurface locations and measured and true vertical depths for all markers and zones pertinent to this work.)

BERRY PETROEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION
TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.

STATE BOND #RLB0005651

SENT TO OPERATOR
11-25-05
C#10

Approved by the
Utah Division of
Oil, Gas and Mining
Date: 11-22-05
By: [Signature]

13

Name & Signature:

DEBBIE L. WISENER

Title:

PRODUCTION & REGULATORY TECHNICIAN

Date: 11/18/2005

(This space for Federal or State office use)

RECEIVED
NOV 21 2005

**Application for Permit to Drill
Request for Permit Extension
Validation**

(this form should accompany the Sundry Notice requesting permit extension)

API: 43-013-32700
Well Name: UTE TRIBAL 9-4-54
Location: (NE/SE) 2108' FSL 631' FEL SEC 4, T.5S., R.4W.
Company Permit Issued to: BERRY PETROLEUM COMPANY
Date Original Permit Issued: 3/25/2005

10/26/04

The undersigned as owner with legal rights to drill on the property as permitted above, hereby verifies that the information as submitted in the previously approved application to drill, remains valid and does not require revision.

Following is a checklist of some items related to the application, which should be verified.

If located on private land, has the ownership changed, if so, has the surface agreement been updated? Yes ☐ No ☒

Have any wells been drilled in the vicinity of the proposed well which would affect the spacing or siting requirements for this location? Yes ☐ No ☒

Has there been any unit or other agreements put in place that could affect the permitting or operation of this proposed well? Yes ☐ No ☒

Have there been any changes to the access route including ownership, or right-of-way, which could affect the proposed location? Yes ☐ No ☒

Has the approved source of water for drilling changed? Yes ☐ No ☒

Have there been any physical changes to the surface location or access route which will require a change in plans from what was discussed at the onsite evaluation? Yes ☐ No ☒

Is bonding still in place, which covers this proposed well? Yes ☒ No ☐

Signature

11/18/2005

Date

Title: PRODUCTION & REGULATORY TECH

Representing: BERRY PETROLEUM COMPANY

RECEIVED
NOV 21 2005
DIV. OF OIL, GAS & MINING

UNIT STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIVED
DEC 05 2005

IRM APPROVED

OMB No. 1004-0135
Expires: July 31, 1996

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

SUBMIT IN TRIPLICATE-Other Instructions on the reverse side

1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other

2. Name of Operator

Berry Petroleum Company

3. Address 3846 SOUTH HWY 40, RT. 2 BOX 7735

ROOSEVELT, UTAH 84066

3b. Phone No. (include area code)

(435) 722-1325

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

2040' FSL, 508' FEL

NESE SEC. 17, T5S, R4W USB&M

5. Lease Serial No.

14-20-H62-4731

6. If Indian, Allottee, or Tribe Name

UTE TRIBE

7. If Unit or CA Agreement Designation

8. Well Name and No.

UTE TRIBAL 9-17-54

9. API Well No.

43-013-32687

10. Field and Pool, or Exploratory Area

BRUNDAGE CANYON

11. County or Parish, State

DUCHESNE, UTAH

12. CHECK APPROPRIATE BOX(S) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION

☒ Notice of Intent

☐ Subsequent Report

☐

TYPE OF ACTION

☐ Acidize

☐ Altering Casing

☐ Casing Repair

☐ Change Plans

☐ Convert to Injection

☐ Deepen

☐ Fracture Test

☐ New Construction

☐ Plug and Abandon

☐ Plug Back

☐ Production (Start/Resume)

☐ Reclamation

☐ Recomplete

☐ Temporarily Abandon

☐ Water Disposal

☐ Water Shut-off

☐ Well Integrity

☒ Other **ONE YEAR**

EXTENSION

13. Describe Proposed or Completed Operation (clearly state all pertinent details including estimated starting date of any proposed work and approximate duration thereof.

If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths or pertinent markers and sands.

Attach the Bond under which the work be will performed or provide the Bond No. on file with the BLM/BIA. Required subsequent reports shall be filed within 30 days

following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 shall be filed once

testing has been completed. Final abandonment Notice shall be filed only after all requirements, including reclamation, have been completed, and the operator has

determined that the site is ready for final inspection.)

**BERRY PETROEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION
TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.**

ORIGINAL APPROVAL DATES

BLM: 12/10/2004

STATE: 10/19/2004

CONDITIONS OF APPROVAL ATTACHED

VERNAL DIST.

ENG.

GEOL.

R.S.

PET.

A.M.

14. I hereby certify that the foregoing is true and correct.

Name (Printed/Typed)

DEBBIE LAWSENER

Signature

Title

PRODUCTION & REGULATORY TECHNICIAN

Date

11/28/05

Approved by

Petroleum Engineer

Date

DEC 08 2005

Conditions of approval, if any are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make any department or agency of the United States any false, fictitious fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on reverse)

RECEIVED

DEC 20 2005

DIV. OF OIL, GAS & MINING

UDOGM

CONDITIONS OF APPROVAL

Berry Petroleum Company

Notice of Intent APD Extension

Lease: 14-20-H62-4731
Well: Ute Tribal 9-17-54
Location: NESE Sec 17-T5S-R4W

An extension for the referenced APD is granted with the following conditions:

1. The extension and APD shall expire on 12/10/06
2. No other extension shall be granted.

If you have any other questions concerning this matter, please contact Matt Baker of this office at (435) 781-4490

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIVED
DEC 05 2005

FORM APPROVED

OMB No. 1004-0135
Expires: July 31, 1996

5. Lease Serial No.

14-20-H62-4778 (E&D)

6. If Indian, Allottee, or Tribe Name

UTE TRIBE

7. If Unit or CA. Agreement Designation

8. Well Name and No.

UTE TRIBAL 9-4-54

9. API Well No.

43-018-32003 32700

10. Field and Pool, or Exploratory Area

WILDCAT

11. County or Parish, State

DUCHESNE, UTAH

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to re-enter an
abandoned well. Use Form 3160-3 (APD) for such proposals.

SUBMIT IN TRIPLICATE-Other Instructions on the reverse side

1. Type of Well

☒ Oil Well ☐ Gas Well ☐ Other

2. Name of Operator

Berry Petroleum Company

3. Address 3846 SOUTH HWY 40, RT. 2 BOX 7735

ROOSEVELT, UTAH 84066

3b. Phone No. (include area code)

(435) 722-1325

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

2108' FSL, 631' FEL

NESE SEC. 4, T5S, R4W USB&M

12. CHECK APPROPRIATE BOX(S) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION

☒ Notice of Intent

☐ Subsequent Report

☐

TYPE OF ACTION

☐ Acidize

☐ Altering Casing

☐ Casing Repair

☐ Change Plans

☐ Convert to Injection

☐ Deepen

☐ Fracture Test

☐ New Construction

☐ Plug and Abandon

☐ Plug Back

☐ Production (Start/Resume)

☐ Reclamation

☐ Recomplete

☐ Temporarily Abandon

☐ Water Disposal

☐ Water Shut-off

☐ Well Integrity

☒ Other ONE YEAR

EXTENSION

13. Describe Proposed or Completed Operation (clearly state all pertinent details including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomplete horizontally, give subsurface locations and measured and true vertical depths or pertinent markers and sands. Attach the Bond under which the work will be performed or provide the Bond No. on file with the BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final abandonment Notice shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

BERRY PETROEUM COMPANY RESPECTFULLY REQUESTS THAT THE APPROVED APPLICATION
TO DRILL FOR THE ABOVE SUBJECT WELL BE EXTENDED FOR A PERIOD OF ONE (1) YEAR.

ORIGINAL APPROVAL DATES

BLM: 3/25/2005

STATE: 10/26/2004

CONDITIONS OF APPROVAL ATTACHED

VERNAL DIST.

ENG.

GEOL.

E.S.

PET.

A.M.

14. I hereby certify that the foregoing is true and correct.

Name (Printed/ Typed)

DEBBIE L. WISENER

Signature

Title

PRODUCTION & REGULATORY TECHNICIAN

Date

11/28/05

Approved by

Title

Petroleum Engineer

Date

DEC 08 2005

Conditions of approval, if any are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make any department or agency of the United States any false, fictitious fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on reverse)

RECEIVED

DEC 20 2005

DIV. OF OIL, GAS & MINING

UDOGM

CONDITIONS OF APPROVAL

Berry Petroleum Company

Notice of Intent APD Extension

Lease: 14-20-H62-4778
Well: Ute Tribal 9-4-54
Location: NESE Sec 4-T5S-R4W

An extension for the referenced APD is granted with the following conditions:

1. The extension and APD shall expire on 3/25/07
2. No other extension shall be granted.

If you have any other questions concerning this matter, please contact Matt Baker of this office at (435) 781-4490



State of Utah

**Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

December 4, 2006

Shelly Crozier
Berry Petroleum Company
Rt. 2 Box 7735
Roosevelt, Utah 84066

Re: APD Rescinded –Ute Tribal 9-4-54 Sec. 4 T. 5S R. 4W
Duchesne County, Utah API No. 43-013-32700


Dear Ms. Crozier:

The Application for Permit to Drill (APD) for the subject well was approved by the Division of Oil, Gas and Mining (Division) on October 26, 2004. On November 22, 2005, the Division granted a one-year APD extension. On December 4, 2006, you requested that the division rescind the approved APD. No drilling activity at this location has been reported to the division. Therefore, approval to drill the well is hereby rescinded, effective December 4, 2006.

A new APD must be filed with this office for approval prior to the commencement of any future work on the subject location.

If any previously unreported operations have been performed on this well location, it is imperative that you notify the Division immediately.

Sincerely,


Diana Mason
Environmental Scientist

cc: Well File
Bureau of Land Management, Vernal



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Vernal Field Office

170 South 500 East

Vernal, UT 84078

(435) 781-4400 Fax: (435) 781-4410

<http://www.blm.gov/ut/st/en/fo/vernal/html>



IN REPLY REFER TO:

3160

UT08300

August 18, 2008

Shelley E. Crozier
Berry Petroleum Company
Route 2, Box 7735
Roosevelt, UT 84066

43813-32700

Re: Notice of Expiration
Well No. Ute Tribal 9-4-54
NESE, Sec. 4, T5S, R4W
Duchesne County, Utah
Lease No. 14-20-H62-4778

Dear Ms. Crozier:

The Application for Permit to Drill the above-referenced well was approved on March 25, 2005. A one (1) year extension of the original APD was requested. The request was reviewed and the extension approved until March 25, 2007. According to our records, no known activity has transpired at the approved location. In view of the foregoing, this office is notifying you that the approval of the referenced application has expired. If you intend to drill at this location in the future, a new Application for Permit to Drill must be submitted.

This office requires a letter confirming that no surface disturbance has been made for this drill site. Any surface disturbance associated with the approved location of this well is to be rehabilitated. A schedule for this rehabilitation must be submitted to this office. Your cooperation in this matter is appreciated.

If you have any questions regarding this matter, please contact me at (435) 781-4455.

Sincerely,

Cindy Severson

Cindy Severson
Land Law Examiner

cc: UDOGM
BIA
Ute Tribe

RECEIVED

AUG 25 2008

DIV OF OIL, GAS & MINING